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# UNITED STATES DISTRICT COURT

## DISTRICT OF ARIZONA

UNITED	STAT	ES OF	<b>AMERI</b>	$C\Delta$
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#### ORDER OF DETENTION PENDING TRIAL

	Ruben Quiroga Hernandez	Case Number:	13-184M			
Defendant wa	e with the Bail Reform Act, 18 U.S.C. § 314 is present and was represented by counsel detention of the defendant pending trial in	. I conclude by a preponderance				
I find by a pre	F ponderance of the evidence that:	INDINGS OF FACT				
· _ ·	•	ited States or lowfully admitted	l for normanant rasidanas			
	The defendant is not a citizen of the Un	•	•			
$\boxtimes$	The defendant, at the time of the charge	ed offense, was in the United S	States illegally.			
	If released herein, the defendant faces removal proceedings by the Bureau of Immigration and Custom Enforcement, placing him/her beyond the jurisdiction of this Court and the defendant has previously been deporte or otherwise removed.					
	The defendant has no significant contact	cts in the United States or in th	e District of Arizona.			
	The defendant has no resources in the to assure his/her future appearance.	United States from which he/sh	e might make a bond reaso	onably calculated		
	The defendant has a prior criminal histo	ory.				
	The defendant lives/works in Mexico.					
	The defendant is an amnesty applicar substantial family ties to Mexico.	nt but has no substantial ties i	n Arizona or in the United	d States and has		
	There is a record of prior failure to appear in court as ordered.					
	The defendant attempted to evade law enforcement contact by fleeing from law enforcement.					
	The defendant is facing a maximum of	years imprisonm	ent.			
The C	Court incorporates by reference the materia	Il findings of the Pretrial Service	s Agency which were revie	ewed by the Court		

at the time of the hearing in this matter, except as noted in the record.

### **CONCLUSIONS OF LAW**

- There is a serious risk that the defendant will flee. 1.
- 2. No condition or combination of conditions will reasonably assure the appearance of the defendant as required.

## **DIRECTIONS REGARDING DETENTION**

The defendant is committed to the custody of the Attorney General or his/her designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

#### APPEALS AND THIRD PARTY RELEASE

IT IS ORDERED that should an appeal of this detention order be filed with the District Court, it is counsel's responsibility to deliver a copy of the motion for review/reconsideration to Pretrial Services at least one day prior to the hearing set before the District Court.

IT IS FURTHER ORDERED that if a release to a third party is to be considered, it is counsel's responsibility to notify Pretrial Services sufficiently in advance of the hearing before the District Court to allow Pretrial Services an opportunity to interview and investigate the potential third party custodian.

DATED this 3<sup>rd</sup> day of May, 2013.

United States Magistrate Judge